



CHAPTER 1

ARTICLE 45B - INTERNATIONAL COMMERCIAL ARBITRATION AND CONCILIATION

N.C.G.S. § 1-567.31.

Scope of application.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2017-171, s. 1 — fourth act in the lineage	21 September 2026, 05:11 UTC	de7b81509a71741e5676fc11 - 7af90f01404a46a8fc3abd0a - d22e0e7cb3899c44

§ 1-567.31(a) This Article applies to international commercial arbitration and conciliation, subject to any applicable international agreement in force between the United States of America and any other nation or nations, and any federal law.

§ 1-567.31(b) The provisions of this Article, except G.S. 1-567.38, 1-567.39, and 1-567.65, apply only if the place of arbitration is in this State.

§ 1-567.31(c) An arbitration or conciliation is international if any of the following are true:

- (1) The parties to the arbitration or conciliation agreement have their places of business in different nations when the agreement is concluded.
- (2) One or more of the following places is situated outside the nations in which the parties have their places of business:
 - a. The place of arbitration or conciliation if determined pursuant to the arbitration agreement.
 - b. Any place where a substantial part of the obligations of the commercial relationship is to be performed.
 - c. The place with which the subject matter of the dispute is most closely connected.
- (3) The parties have expressly agreed in a record that the subject matter of the arbitration or conciliation agreement relates to more than one nation.

§ 1-567.31(d) For the purposes of subsection (c) of this section:

- (1) If a party has more than one place of business, the place of business is that which has the closest relationship to the arbitration or conciliation agreement.
- (2) If a party does not have a place of business, reference is to be made to the party's domicile.

§ 1-567.31(e)

An arbitration or conciliation, respectively, is deemed commercial for the purposes of this Article if it arises out of a relationship of a commercial nature, including, but not limited to any of the following:

- (1) A transaction for the exchange of goods or services.
- (2) A distribution agreement.
- (3) A commercial representation or agency.
- (4) An exploitation agreement or concession.
- (5) A joint venture or other related form of industrial or business cooperation.
- (6) The carriage of goods or passengers by air, sea, water, land, or road.
- (7) A contract or agreement relating to construction, insurance, licensing, factoring, leasing, consulting, engineering, financing, or banking.
- (8) The transfer of data or technology.
- (9) The use or transfer of intellectual or industrial property, including trade secrets, trademarks, trade names, patents, copyrights, plant variety protection, and software programs.
- (10) A contract for the provision of any type of professional service, whether provided by an employee or an independent contractor.

§ 1-567.31(f)

This Article shall not affect any other law in force by virtue of which certain disputes may not be submitted to arbitration, conciliation, or mediation, or may be submitted to arbitration, conciliation, or mediation only according to provisions other than those of this Article.

§ 1-567.31(g)

This Article shall not apply to any agreement providing explicitly that it shall not be subject to the North Carolina International Commercial Arbitration and Conciliation Act. This Article shall not apply to any agreement executed prior to June 13, 1991.

§ 1-567.31(h)

This Article does not govern arbitrations under Article 1H of Chapter 90 of the General Statutes.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
4 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1991		2004		2017
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1991	c. 292, s. 1	ENACTED	
02	1997	S.L. 1997-141, s. 1	AMENDED	
03	1997	S.L. 1997-368, s. 6	AMENDED	
04	2017	S.L. 2017-171, s. 1	AMENDED	

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 1-567.38	(b)	<i>"The provisions of this Article, except"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 1-567.31 (2017).

PINPOINT

N.C. Gen. Stat. § 1-567.31(a) (2017).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1991, c. 292, s. 1; 1997-141, s. 1; 1997-368, s. 6; 2017-171, s. 1.)

SET IN SPECTRAL AND ARCHIVO
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

